

Message Text

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SUBJECT: NRC NUCLEAR SAFETY COOPERATION WITH YUGOSLAVIA

REF: VIENNA 05135

1. SUMMARY. NRC REPRESENTATIVE R. D. HAUBER MET WITH YUGOSLAV NUCLEAR ENERGY OFFICIALS IN VIENNA AND YUGOSLAVIA EARLY IN JUNE. THIS TELEGRAM REPORTS ON THESE MEETINGS AND REQUESTS EMBASSY FOLLOWUP. END SUMMARY.

2. AS NOTED IN REFTTEL, ON JUNE 6 IN VIENNA, PRIOR TO THE BEGINNING OF THE IAEA BOARD OF GOVERNORS MEETING, RONALD HAUBER, U.S. NUCLEAR REGULATORY COMMISSION, MET WITH LIMITED OFFICIAL USE

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AM0ASSADOR EDVARD KLJUN, FSFA, AND MILAN COPIC, JOZEF STEFAN INSTITUTE, TO DISCUSS NUCLEAR SAFETY ASSISTANCE WHICH NRC MIGHT PROVIDE TO YUGOSLAVIA. HAUBER STATED NRC'S WILLINGNESS TO ORK CLOSELY WITH YUGOSLAV OFFICIALS ON MATTERS RELATED TO REGULATION AND SAFETY OF THE KRSKO NUCLEAR POWER PLANT. HE DESCRIBED THE RATHER EXTENSIVE INTERACTION AND COOPERATION OF NRC (BOTH DIRECT AND THROUGH

IAEA) WITH OTHER COUNTRIES INITIATING NUCLEAR POWER PROGRAMS, SUCH AS MEXICO, BRAZIL, KOREA AND THE PHILIPPINES. IN THE COURSE OF THE DISCUSSION, HE PROVIDED A COPY OF THE DRAFT NRC-PHILIPPINE AEC "ARRANGEMENT FOR THE EXCHANGE OF

TECHNICAL INFORMATION AND COOPERATION IN NUCLEAR SAFETY MATTERS" TO KLJUN AND COPIC AS CURRENT MODEL OF FORMALIZED EXCHANGE ARRANGEMENT. (EMBASSY WILL RECALL THAT SCIATT MET WITH KLJUN, COPIC AND OTHERS IN OCTOBER 1976 FOR DISCUSSION OF POSSIBLE U.S. COOPERATION ON NUCLEAR SAFETY AND REGULATION AND MAY HAVE, AT THAT TIME, PROVIDED SIMILAR EARLIER MODEL ARRANGEMENT TO YUGOSLAVS FOR THEIR CONSIDERATION.)

3. IN JUNE 6 MEETING, AMB. KLJUN WELCOMED NRC'S WILLINGNESS TO COOPERATE MORE CLOSELY WITH YUGOSLAVIA ON NUCLEAR SAFETY MATTERS. HE STATED THAT HE ACCEPTED "WITHOUT RESERVE" NRC'S OFFER OF ASSISTANCE AND ASKED IF NRC WOULD CONCLUDE A FORMAL EXCHANGE ARRANGEMENT WITH YUGOSLAVIA. HAUBER REPLIED THAT WHILE HE HAD NOT COME TO THE MEETING FOR THE PURPOSE OF AGREEING TO AN ARRANGEMENT, NRC WOULD BE PLEASED TO CONCLUDE AN ARRANGEMENT WITH YUGOSLAVIA, AND HE INVITED KLJUN TO EXAMINE THE MODEL ARRANGEMENT AT HIS CONVENIENCE AND TO RAISE ANY QUESTIONS HE MIGHT HAVE THROUGH THE EMBASSY.

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4. FOLLOWING THE VIENNA MEETING, HAUBER VISITED THE KRSKO REACTOR SITE WHERE DISCUSSIONS OF NRC NUCLEAR SAFETY CO-OPERATION WERE HELD WITH NEK PROJECT OFFICIALS, INCLUDING DIRECTOR JANEZ DULAR AND ZDRAVKO GABROVSEK, AND REPRESENTATIVES OF WESTINGHOUSE AND NUS CORPORATION. THE SUBJECT OF A FORMAL NRC-YUGOSLAV ARRANGEMENT WAS NOT DISCUSSED.

5. BECAUSE OF CHANGE IN TRAVEL SCHEDULE WHICH BROUGHT HAUBER THROUGH BELGRADE ON SATURDAY RATHER THAN A WORKDAY, HAUBER DID NOT HAVE OPPORTUNITY TO BRIEF EMBASSY ON HIS MEETINGS OR TO DISCUSS FOLLOW UP STEPS. NRC WOULD LIKE TO CONFIRM WITH KLJUN THAT IT IS WILLING TO CONCLUDE A REGULATORY EXCHANGE ARRANGEMENT WITH YUGOSLAVIA AND IS PREPARED TO WORK WITH THE FSFA OR OTHER APPROPRIATE AGENCY OR AGENCIES TO PREPARE FOR SIGNING EARLY THIS FALL IF NO SIGNIFICANT PROBLEMS ARE IDENTIFIED. NRC HAS DRAFTED THE FOLLOWING MESSAGE WHICH THE EMBASSY, IF IT SEES NO OBJECTION, SHOULD DELIVER TO KLJUN. (A COPY OF THE MODEL ARRANGEMENT PROVIDED TO KLJUN ON JUNE 6 HAS BEEN SENT BY AIRMAIL TO THE EMBASSY, ATTENTION SCIATT.)
TEXT OF NRC MESSAGE FOLLOWS: DEAR MR. AMBASSADOR:
IN VIENNA ON JUNE 6, MR. HAUBER HAD THE OPPORTUNITY TO

DISCUSS WITH YOU THE TYPES OF COOPERATION WHICH THE U.S. NUCLEAR REGULATORY COMMISSION OFFERS TO NUCLEAR SAFETY AND REGULATORY AUTHORITIES OF OTHER COUNTRIES. IN THE COURSE OF THAT DISCUSSION, HE PROVIDED YOU THE TEXT OF A "TECHNICAL INFORMATION EXCHANGE AND COOPERATION ARRANGEMENT" SIMILAR TO THOSE WE HAVE SIGNED WITH SEVERAL

COUNTRIES, WHEN SUCH FORMALIZATION WAS MUTUALLY ATTRACTIVE. YOU ASKED IF THE NRC WOULD BE WILLING TO CONCLUDE SUCH AN "ARRANGEMENT" WITH YUGOSLAVIA. I WOULD LIKE TO CONFIRM MR. HAUBER'S STATEMENT THAT NRC WOULD BE PLEASED TO CONCLUDE AN "ARRANGEMENT" WITH YUGOSLAVIA. IF YOU ARE INTERESTED IN MOVING AHEAD IN THIS REGARD, WE ARE PREPARED TO REACH AGREEMENT ON THE LIMITED OFFICIAL USE

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FINAL TEXT OF A DOCUMENT AND TO PREPARE FOR THE SIGNING OF IT WITH THE APPROPRIATE YUGOSLAV AUTHORITY OR AUTHORITIES SOMETIME IN THE NEXT FEW MONTHS. I LOOK FORWARD TO HEARING FROM YOU ON THIS MATTER. WE WISH TO THANK YOU FOR THE MANY COURTESIES EXTENDED TO MR. HAUBER DURING HIS VISIT TO YUGOSLAVIA AND THE KRSKO PROJECT SITE. WITHOUT REGARD TO THE PROSPECTIVE NRC-YUGOSLAV "ARRANGEMENT," PLEASE LET US KNOW IF THERE ARE KRSKO-RELATED QUESTIONS OR ELEMENTS OF NUCLEAR SAFETY ASSISTANCE WHICH NRC MIGHT HELP ADDRESS. VERY TRULY YOURS, J. D. LAFLEUR, JR., DEPUTY DIRECTOR, OFFICE OF INTERNATIONAL PROGRAMS. END OF MESSAGE.

6. FYI: AS EMBASSY MAY BE AWARE, CURRENTLY GOY HAS LIMITED CENTRAL AUTHORITY RELATED TO NUCLEAR SAFETY MATTERS. NUCLEAR SAFETY REGULATION FOR THE KRSKO PROJECT IS ALMOST EXCLUSIVELY THE RESPONSIBILITY OF SLOVENIAN AND CROATIAN OFFICIALS IN THE RESPECTIVE PUBLIC WORKS AUTHORITIES AND SANITARY INSPECTORATES OF THE TWO REPUBLICS. IN ALL OTHER REGULATORY EXCHANGE ARRANGEMENTS, NRC HAS DEALT WITH A COUNTERPART, CENTRALIZED REGULATORY OR SAFETY AGENCY OR MINISTRY. NRC IS PREPARED TO BE FLEXIBLE IN DEFINING ITS RELATIONSHIP WITH THE GOY AND, IF APPROPRIATE, COULD SIGN AN ARRANGEMENT WITH AGENCIES OF ONE OR MORE OF ITS REPUBLICS. ON THE OTHER HAND, ARRANGEMENT MIGHT BE HANDLED BY AND THROUGH THE FSFA. A DECISION BY THE GOY REGARDING WHICH ORGANIZATION OR ORGANIZATIONS WOULD NEGOTIATE AND SIGN ON THE YUGOSLAV SIDE IS AN ESSENTIAL EARLY STEP TO BE TAKEN. NRC REPORTS THAT IN DISCUSSIONS BEARING ON THIS SUBJECT DURING JUNE 6 MEETING IN VIENNA, COPIC SEEMED TO FEEL THAT THE YUGOSLAV CONSTITUTION EFFECTIVELY BLOCKED ANY ASSERTION OF CENTRAL GOVERNMENT CONTROL IN THE NUCLEAR AREA, COMPLICATING THE TASK, IN WHICH HE IS IN-LIMITED OFFICIAL USE

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VOLVED, OF DRAFTING NATIONAL NUCLEAR SAFETY LEGISLATION
AND REGULATIONS. KLJUN ON THE OTHER HAND, NOTED (A) THE
FEDERAL GOVERNMENT'S TREATY-RELATED UNDERTAKINGS INVOLVING,
FOR EXAMPLE, THE CONVENTIONS ON THIRD PARTY LIABILITY, AND
(B) THE FEDERAL GOVERNMENT'S CONSTITUTIONAL ROLE REGARDING
ENVIRONMENTAL PROTECTION. HE BELIEVED THESE AND OTHER
FACTORS MADE IT ESSENTIAL FOR THE CENTRAL GOVERNMENT TO
TAKE A MORE PROMINENT ROLE IN THE NUCLEAR SAFETY AREA.
END FYI. VANCE

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